

ETHICS

STANDARDS OF CONDUCT FOR AF MEDIATORS

Standards of Conduct

- Adapted from Model Standards of Conduct adopted by the American Bar Association, American Arbitration Association, and Association for Conflict Resolution (formerly Society for Professionals in Dispute Resolution).
- Standards are set out in AFI 51-1201, Paragraph 23 (2004)
 - Comments on AF ADR website

Standard 1: Consent

- A mediator shall make reasonable efforts to ensure that all parties understand the mediation process and the options available to them, and that the parties are free and able to make whatever choices they desire regarding participation in mediation generally, or regarding specific settlement options.

Standard 2: Self-Determination

- A mediator shall respect and encourage self-determination by the parties in their decision to resolve their dispute, and on what terms, and shall refrain from being directive or judgmental regarding the issues in dispute and options for settlement.

Standard 3: Impartiality

- A mediator shall maintain impartiality and evenhandedness toward the parties and the issues in dispute. Where the mediator's impartiality is in question, the mediator shall decline to mediate or shall withdraw from the mediation.

Standard 4: Conflicts of Interest

- A mediator shall, as far as possible, avoid conflicts of interest and, in any event, shall resolve such conflicts in favor of the mediator's primary obligation to impartially serve the parties to the dispute.

Standard 5: Confidentiality

- A mediator shall maintain confidentiality of the mediation process and communications made in connection with the process, to the extent necessary to comply with the law and the reasonable expectations of the parties.

Standard 6: Integrity of the Process

- A mediator shall conduct the mediation in a fair and diligent manner. The mediator shall protect the integrity of the mediation process by encouraging mutual respect between the parties and by taking reasonable steps, subject to the principle of self-determination, to limit abuse of the process, including discontinuing the mediation if necessary.

Standard 7: Competency

- A mediator shall maintain professional competency in mediation skills and, where lacking the skills necessary for a particular case, shall decline to serve or shall withdraw from serving as a mediator. Installation ADR Champions are responsible for ensuring that collateral-duty mediators are provided sufficient training and mediation experience to meet this obligation.

Update

- Revisions to model standards of conduct
 - Joint ABA-AAA-ACR Committee proposed revised Standards of Conduct in January 2004
 - Revisions are out for comment
 - Interagency ADR Working Group Steering Committee is providing comments for federal agency ADR practitioners
- Air Force will adhere to current standards unless/until AFI 51-1201 is revised